



STATE OF WASHINGTON
OFFICE OF THE FAMILY AND CHILDREN'S OMBUDS

6840 FORT DENT WAY, SUITE 125
TUKWILA, WA 98188
(206) 439-3870 • (800) 571-7321 • FAX (206) 439-3877

TESTIMONY ON HB 2695
Concerning Safe Sleep in Child Care Settings

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Monday, February 3, 2014

House Hearing Room C

John L. O'Brien Building, 1:30 p.m.

Good afternoon Madame Chair Kagi and members of the committee, my name is Erin Shea McCann, and I am an Ombuds with the Office of the Family & Children's Ombuds ("OFCO").

While OFCO remains neutral on specific proposed legislation, we support the intent of this legislation to establish a system of accountability when licensed child care providers fail to meet the expectations regarding safe sleep practices.

Currently, the WACs outline the minimum licensing requirements for child care centers and for licensed family home child care centers as to what sleep equipment is required for infants and toddlers and what additional sleeping arrangements providers must make in order to reduce the risk of Sudden Infant Death Syndrome (SIDS).¹ These requirements include, among other things: guidance on what type of cribs or bassinets a provider must use; how tight fitting mattress pads and sheets must be; how often bedding must be laundered; and, of course, that infants must be put to sleep on their backs unless a parent provides written notice—from the parent and a health care provider—that the child may be placed in an another sleeping position. OFCO believes these requirements are not complicated and non-negotiable. In order to ensure that children sleep safely, providers must implement and routinely follow these practices.

¹ Safe sleep guidelines for child care centers can be found in WAC 170-295-4100 & -4110. Safe sleep guidelines for licensed family home child care settings can be found in WAC 170-296A-7075, -7085, & -7100.

While OFCO believes the WACs set out clear expectations for providers, the WACs lack enforcement guidance for the Department of Early Learning (DEL) if a child care provider violates the WACs, thereby placing young children at risk.

HB 2695 outlines DEL's responsibilities to provide licensees with safe sleep information and to assess safe sleep practices during monitoring visits. The bill also outlines the consequences if a provider fails to meet safe sleep practices—upon a provider's first violation of safe sleep practices, the licensor must develop a compliance plan agreement with the provider. The provider is also put on notice that a subsequent violation would result in license revocation.

OFCO would offer to the Committee that one violation is one too many. One incident of a provider failing to meet safe sleep practices can result in a child death. When parents drop off their child at a licensed day care provider, they expect the provider to understand the importance of safe sleep practices and to implement those practices.

Thank you for the opportunity to provide you with our testimony on this legislation.